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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/485,113 06/07/95 KATZ

R 6646-108N4

WOO, S EXAMINER

26M2/1205

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ART UNIT PAPER NUMBER

2608

DATE MAILED: 12/05/95

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☐ Claims 18-22 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☒ Claims 1-17 have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 18-22 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other _____

EXAMINER'S ACTION

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Part III DETAILED ACTION

1. Claim 21 is rejected under 35 U.S.C. § 112, fourth paragraph, as being of improper dependent form for failing to further limit the subject matter of a previous claim.

2. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

3. Claim 18 is rejected under 35 U.S.C. § 103 as being unpatentable over Britton et al. in view of Barger, Jr. et al.

Britton discloses an interface control system comprising call data means (112), interface means (114/115), means for directly forwarding a call (switch 102/call control 103) (see col. 4, lines 4-10), means for processing (attendant terminal 116).

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Britton et al. differs from claim 18 in that it does not specify a means for storing. However, Barger, Jr. et al. teach the use of a storing means (col. 6, lines 10-34) in an interface control system for the purpose of providing a complete record of all transactions and a record of customer profiles and use history. It would have been obvious to an artisan of ordinary skill to incorporate a storing means, as taught by Barger, Jr. et al., within the system of Britton et al. in order to provide a complete record of all calls and customer profiles and use history.

4. Claims 19, 22 are rejected under 35 U.S.C. § 103 as being unpatentable over Britton et al. in view of Barger, Jr. et al., as applied to claim 18 above, and further in view of Davis.

The combination of Britton et al. and Barger, Jr. et al. differs from claims 19 and 22 in that it does not specify using ANI-type signals to access a positive or negative file. However, Davis teaches the well known use of ANI signals to appropriately handle incoming calls. Based on the ANI signals, operations are to selectively not respond, end, record, or forward, etc., a telephone call (note Abstract; col. 4, lines 1-4; col. 5, lines 13-16; col. 9, lines 35-47). It would have been obvious to incorporate such call handling based on ANI signals within the

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combination of Britton et al. and Barger, Jr. et al. in order to appropriately handle and screen callers automatically.

5. Claims 20-21 are rejected under 35 U.S.C. § 103 as being unpatentable over the combination of Britton et al., Barger, Jr. et al., and Davis, as applied to claim 19 above, and further in view of Entenmann et al.

The combination of Britton et al., Barger, Jr. et al., and Davis differs from claims 20-21 in that it does not specify access being subject to a use history test. However, Entenmann et al. teach the well known use of restricting access based on history use (col. 3, lines 30-34) for the purpose of preventing certain callers from overusing a telephone service. Since the combination of Britton et al., Barger, Jr. et al., and Davis provides a telephone service which is subject to abuse by telephone callers, it would have been obvious to an artisan of ordinary skill to incorporate such access restriction, as taught by Entenmann et al., within the combination of Britton et al., Barger, Jr. et al., and Davis in order to prevent certain callers from overusing the telephone service.

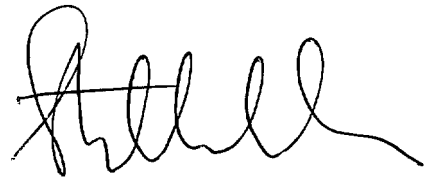
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed Stella Woo, whose telephone number is (703) 305-4395. The examiner can normally be reached on Monday-Wednesday from 6:30 a.m. to 3:00 p.m.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist, whose telephone number is (703) 305-4700.



Stella Woo
Patent Examiner
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November 27, 1995